

(1) For the purpose of providing adequate maintenance costs and personnel for the Division of Fish Culture, Bureau of Fisheries: Fiscal year beginning July 1, 1930, \$100,000; fiscal year beginning July 1, 1931, \$200,000; fiscal year beginning July 1, 1932, \$300,000; fiscal year beginning July 1, 1933, \$400,000; fiscal year beginning July 1, 1934, \$500,000. Of each amount authorized by this paragraph to be appropriated, not more than 30 per centum is authorized for salaries at the seat of government and elsewhere.

Fish Culture Division.
Maintenance and personnel, fiscal years, 1931 to 1935, inclusive.

(2) To meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural, the encouragement of fish conservation in the waters of the Great Lakes and other waters, and other operations of the Division of Inquiry, Bureau of Fisheries, respecting food fishes, sufficient annual additions to increase present appropriations by not to exceed \$300,000 per annum at the conclusion of the construction program authorized in this Act. Of each amount authorized by this paragraph to be appropriated not more than 40 per centum is authorized for salaries at the seat of government and elsewhere, and not to exceed \$10,000 in any year for a survey of the fisheries of the Hawaiian Islands.

Division of Inquiry.
Encouragement of fish conservation, etc., by.

Hawaii fisheries.

(3) To provide for the proper husbandry of our fisheries, improvements in methods of capture, merchandising, and distribution of our fishery harvest, including saving and utilization of waste products, and other operations of the Division of Fishery Industries, Bureau of Fisheries, sufficient annual additions to increase present appropriations by not to exceed \$175,000 per annum at the conclusion of the construction program authorized in this Act. Of each amount authorized by this paragraph to be appropriated not more than 40 per centum is authorized for salaries at the seat of government and elsewhere.

Division of Fishery Industries.
Improving methods of capture, distribution, etc., of fishery harvest.

SEC. 8. In carrying out the provisions of this Act the Bureau of Fisheries may cooperate with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aid to the development of this program.

Cooperation with States, municipalities, private agencies, etc.

Approved, May 21, 1930.

CHAP. 307.—An Act Providing for the lease of oil and gas deposits in or under railroad and other rights of way.

May 21, 1930.
[H. R. 8154.]
[Public, No. 241.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of the Interior shall deem it to be consistent with the public interest he is authorized to lease deposits of oil and gas in or under lands embraced in railroad or other rights of way acquired under any law of the United States, whether the same be a base fee or mere easement: *Provided*, That, except as hereinafter authorized, no lease shall be executed hereunder except to the municipality, corporation, firm, association, or individual by whom such right of way was acquired, or to the lawful successor, assignee, or transferee of such municipality, corporation, firm, association, or individual.

Oil and gas deposits.
Leases authorized of, under railroad rights of way, etc.

Provided.
Restricted to owner of right of way.

SEC. 2. That the right conferred by this Act may, subject to the approval of the Secretary of the Interior, be assigned or sublet by the owner thereof to any corporation, firm, association, or individual.

Assignment authorized.

Owners of adjoining lands allowed to submit bid for royalty to be paid for oil or gas extracted through wells thereon, from the rights of way.

Offer from holder of right of way.

Grant of award.

Discretionary right to shut down, etc., wells.

Determination of royalty.

Provisos.
Royalty from land adjacent.

Reduction on small production.

Regulations, etc., authorized.

SEC. 3. That prior to the award of any lease under section 1 of this Act, the Secretary of the Interior shall notify the owner or lessee of adjoining lands and allow him a reasonable time, to be fixed in the notice given, within which to submit an offer or bid of the amount or percentage of compensatory royalty that such owner will agree to pay for the extraction through wells on his or its adjoining land, of the oil or gas under and from such adjoining right of way, and at the same time afford the holder of the railroad or other right of way a like opportunity within the same time to submit its bid or offer as to the amount or percentage of royalty it will agree to pay, if a lease for the extraction of the oil and gas deposits under the right of way be awarded to the holder of such right of way. In case of competing offers by the said parties in interest, the Secretary shall award the right to extract the oil and gas to the bidder, duly qualified, making the offer in his opinion most advantageous to the United States. In case but one bid or offer is received after notice duly given, he may, in his discretion award the right to extract the oil and gas to such bidder.

SEC. 4. That any lease granted by the Secretary of the Interior pursuant to this Act may, in the discretion of said Secretary, contain a provision giving the lessee the right, with the approval of said Secretary, to shut down the operation of any well or wells the operation of which has become unprofitable, to resume operations when such resumption may result in profit, and to abandon any well or wells that cease to produce oil and/or gas in paying quantities.

SEC. 5. That the royalty to be paid to the United States under any lease to be issued, or agreement made pursuant to this Act, shall be determined by the Secretary of the Interior, in no case to be less than 12½ per centum in amount or value of the production, nor for more than twenty years: *Provided*, That when the oil or gas is produced from land adjacent to the right of way the amount or value of the royalty to be paid to the United States shall be within the discretion of the Secretary of the Interior: *Provided further*, That when the daily average production of any oil well does not exceed ten barrels per day said Secretary may, in his discretion, reduce the royalty on subsequent production.

SEC. 6. That the Secretary of the Interior is authorized and directed to adopt rules and regulations governing the exercise of the discretion and authority conferred by this Act, which rules and regulations shall constitute a part of any application or lease hereunder.

Approved, May 21, 1930.

May 21, 1930.
[H. R. 10171.]
[Public, No. 242.]

CHAP. 308.—An Act Providing for the erection at Clinton, Sampson County, North Carolina, of a monument in commemoration of William Rufus King, former Vice President of the United States.

William Rufus King.
Plans for erection of tablet in commemoration of, to be executed by Secretary of War.
Vol. 45, pp. 719, 1378.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying into effect the provisions of the Act approved May 23, 1928 (Forty-fifth Statutes, page 719), and February 28, 1929 (Forty-fifth Statutes, page 1378), providing for the construction of a tablet or marker in commemoration of William Rufus King, former Vice President of the United States, the Secretary of War is authorized to do all things necessary to accomplish said purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard